which is:

[] Original; or

## NON-PROVISIONAL UTILITY PATENT APPLICATION TRANSMITTAL - 37 CFR 1.53(b)

[] Duplicate (check, if applicable)

Attorney Docket No. 014985-6U1 First Named Inventor: Éric Dupont et al. Express Mail Label No. EL665722750US Total Pages of Transmittal Form: 2

Assistant Commissioner for Patents BOX PATENT APPLICATION Washington, DC 20231

Transmitted herewith for filing is the non-provisional utility patent application entitled:

ANTI-TUMOR THERAPIES COMPRISING A COMBINATION OF A CARTILAGE EXTRACT AND AN ANTI-NEOPLASTIC AGENT PROVIDING HIGH EFFICACY AND LOW TOXIC SIDE EFFECTS

a	[] Cont	inuation, [X] Divisional, or [] Continuation-in-part (CIP)							
	continuation continuation continuation continuation continuation continuation continuation continuation continu	or Application No. 09/393,037 filed September 9, 1999, which itself is a nuation of International Application No. PCT/CA98/00202, filed March 11, 1998, ublished in the English language on September 17, 1998. ipated Class 424, Subclass 548.							
	This 1	non-provisional patent application is based on Provisional Patent Application							
		, filed							
Enc	losed are								
	[X]	Specification (including Abstract) and claims: 15 pages.							
	[X]	Application Data Sheet.							
	[]	Newly executed/unexecuted Declaration (original/copy).							
	[X]	Copy of Declaration from prior application.							
	[]	Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).							
	[X]	3 sheets of drawings (formal).							
	[]	Transmittal Letter Accompanying Submission of Compact Disc in Accordance							
		with 37 C.F.R. §1.52(e), plus two identical compact discs (for computer program							
		Appendix)							
	[] Nucleotide and/or Amino Acid Sequence Submission, including:								
		[] Computer readable copy [] Paper Copy [] Verified Statement.							
	[]	Under PTO-1595 Cover Sheet, an assignment of the invention							
	[]	Name of Assignee: Æterna Laboratories							
	[X] Certified copy of Canadian Application No. 2,199,694 filed March 11,								
		filed: [] herewith or [X] in prior application 09/393,037.							
	[]	Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under							
		37 C.F.R. §1.27 as [ ] an Independent Inventor, or [ ] a Small Business Concern,							
		or [ ] a Non-Profit Organization.							
	[X]	Preliminary Amendment.							

- [X] Information Disclosure Statement, PTO/SB/08A & 08B, and cited references.
- [] Request for Nonpublication of Application Under 35 U.S.C. §122(b)
- [] Other:

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE: \$370			BASIC FEE: \$740	
Total	18 - 20 =	0	X9	\$	OR	X18	\$
Independent	4 - 3 =	1	X42	\$	OR	X84	\$ 84.00
[ ] Multiple D	ependent Claims	s Present	\$140	\$	OR	\$280	\$
region of		The Addition Colors	TOTAL	\$	OR	TOTAL	\$ 824.00

- [] The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- [X] A check in the amount of \$\\_824\_.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge and/or credit **Deposit Account**No. 50-1017 (Billing No. 014985.0006) as noted below. A duplicate copy of this sheet is enclosed.
  - [X] Any overpayments or deficiencies in the above-calculated fee.
  - [] Filing fee in the amount of \$\_\_\_\_ as calculated above.
  - [X] Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
  - [X] In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

## **CORRESPONDENCE ADDRESS:**

Date)

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